

**REMARKS**

In light of the above amendments and following remarks, reconsideration and allowance of this application are respectfully requested.

Claims 2, 4-7, 9-14 and 16-21 and amended claims 1, 8 and 15 are in this application.

Claims 1, 2, 4-8, 11, 14, 15, 18 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fukuzumi (U.S. Patent No. 5,845,066) in view of Kawaguchi (U.S. Patent No. 5,557,771).

Amended independent claim 1 now recites in part as follows:

“A memory apparatus comprising...a second storage region...having a user-use prohibition table...wherein said user or said data-processing apparatus is prohibited from accessing said one or more defective locations contained in said user-use prohibition table.” (Underlining and bold added for emphasis.)

In explaining the above 103(a) rejection, the Examiner acknowledged that Fukuzumi does not disclose “the user-use prohibition table comprising an address designating defective location in the memory apparatus.” In an attempt to overcome this deficiency, the Examiner relied on Kawaguchi (and, in particular, references 80, 82 and 83 of fig. 15 and lines 41-67 of column 11 thereof) to teach such feature. It is respectfully submitted that the portion of Kawaguchi relied upon by the Examiner (hereinafter, merely “Kawaguchi”) does not disclose the above-mentioned feature of amended independent claim 1 for at least the reasons hereinbelow described.

Amended independent claim 1 recites a user-use prohibition table, which contains “...addresses of data items in which one address designates one or more defective locations...” On the other hand, Kawaguchi mentions a method of replacing or substituting a

defective data word with non-defective data words. Kawaguchi, unlike in the apparatus of claim 1, does not store a table which contains "...addresses of data items in which one address designates one or more defective locations..."

Additionally, amended independent claim 1 further states that the user or data-processing apparatus is prohibited "from accessing one or more defective locations contained in said user-use prohibition table." Therefore, no accessing of defective locations is permitted by the user or data-processing apparatus. Such feature is described in the present specification as, for example, at page 10, lines 5-8 thereof wherein it recites "Once the addresses of the initially defective blocks are registered in the user-use prohibition table, the user will never happen to access the user blocks containing the initially defective memory chips." On the other hand, and as best understood, Kawaguchi replaces defective data words with non-defective data words during processing operations such as reading and writing. During such operations of Kawaguchi, it appears that a user or a data-processing apparatus may access defective locations and substitute one data word for another data word.

Accordingly, amended independent claim 1 is believed to be distinguishable from the applied combination of Fukuzumi and Kawaguchi. For reasons similar to those described above with regard to amended independent claim 1, amended claims 8 and 15 are believed to be distinguishable from the applied combination of Fukuzumi and Kawaguchi.

Claims 2, 4-7, 11, 14, 18 and 21 are dependent from one of amended independent claims 1, 8 and 15, and, due to such dependency, are also believed to be distinguishable from the applied combination of Fukuzumi and Kawaguchi for at least the reasons previously described.

Applicant therefore respectfully requests the rejection of claims 1, 2, 4-8, 11, 14, 15, 18 and 21 under 35 U.S.C. 103(a) be withdrawn.

Claims 9, 10, 12, 13, 16, 17, 19 and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fukuzumi in view of Kawaguchi and further in view of Estrakhri (U.S. Patent No. 6,125,435).

Claims 9, 10, 12, 13, 16, 17, 19 and 20 are dependent from one of amended independent claims 8 and 15 and due to such dependency, are believed to be distinguishable from the applied combination of Fukuzumi and Kawaguchi for at least the reasons previously described. The Examiner does not appear to rely on Estrakhri to overcome the above-identified deficiencies of Fukuzumi and Kawaguchi. Therefore, claims 9, 10, 12, 13, 16, 17, 19 and 20 are believed to be distinguishable from the applied combination of Fukuzumi, Kawaguchi and Estrakhri.

Applicant therefore respectfully requests the rejection of claims 9, 10, 11, 12, 13, 16, 17, 19 and 20 under 35 U.S.C. 103(a) be withdrawn.

In the event, that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where, in the reference or references, there is the basis for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,  
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